

Application No.: 09/973,602
Reply to Office Action of: 23 November 2004
Attorney Docket No.: CHOCK1

REMARKS

Claims 10, 12, 13, and 21-36 are currently pending in the Application. In the Office Action, the Examiner rejected Claims 10, 12, 13, and 21-30 under 35 U.S.C. § 112, Second Paragraph, and Claims 10 and 22 under 35 U.S.C. § 103(a).

The Examiner also allowed Claims 31-36. Applicants respectfully thank the Examiner with appreciation for allowing Claims 31-36.

By the present Response and Amendment, Applicants amend Claims 10, 21, and 23 to clarify Applicant's claimed invention. Applicants respectfully assert that Claims 10, 12, 13, and 21-30 are patentable and respectfully request reconsideration of these claims in light of the above presented clarifying amendments and following remarks.

No new matter is believed to be introduced by the clarifying amendments. After entry of this Response and Amendment, Claims 10, 12, 13, and 21-36 remain pending.

It is respectfully submitted that the Application is in condition for allowance for the following reasons.

1. 35 U.S.C. § 112, Second Paragraph Rejection to Claims 10, 12, 13, and 21-30

In rejecting Claims 10, 12, 13, and 21-30, under 35 U.S.C. § 112, Second Paragraph the Examiner asserts that Claims 10 and 23 are indefinite. The Examiner also suggested amendments to Claims 10 and 23 overcome the § 112, Second Paragraph rejection. Applicants amend Claims 10 and 23 as suggested by the Examiner. Applicants respectfully thank the Examiner for kindly suggesting amendments to overcome this rejection.

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In light of the Amendments to Claims 10 and 23, Applicants submit that Claims 23-30 have been placed in condition for allowance and respectfully request that the § 112, Second Paragraph Rejection to Claims 10, 12, 13, and 21-30 be withdrawn.

2. 35 U.S.C. § 103(a) Rejection to Claims 10 and 22

In rejecting Claims 10 and 22 under § 103(a) over *Yokomizu* (U.S. Patent No. 4,225,641), the Examiner asserts that "cutting is deemed to be an obvious method of shaping an article," and that "securing of the *Yokomizu* decorative would have been an obvious expedient to one of ordinary skill in this art" because "decorative material is routinely secured to objects intended for decoration." Applicants respectfully traverse the § 103(a) rejection, and amend Claim 10 to solely expedite prosecution and reserve the right to pursue claims of broader scope in a continuation application.

Amended Claim 10 now includes the limitation of "securing said predetermined shaped portion of base material and coating to a fishing hook." Applicants respectfully assert that amended Claim 10 is patentably distinct from *Yokomizu* because *Yokomizu* does teach or suggest attaching any objects to a fishing hook. Applicants also submit that dependent claims 12-13 and 21-22 are also patentably distinct from *Yokomizu* for the further limitations contained therein.

Accordingly, Applicants respectfully submit that Claims 10, 12, 13, and 21-22 have been placed in condition for allowance. Applicants, therefore, respectfully request that the § 103(a) rejection to Claims 10 and 22 be withdrawn.

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FEES


Applicants file this Response and Amendment within three months of the 23 November 2004 Office Action, and with no additional Claims. Thus, no fees are believed due, but the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 20-1507.

CONCLUSION

The foregoing is a complete response to the Final Office Action mailed 23 November 2004. Applicants respectfully submit that Claims 10, 12, 13, and 21-30 are patentable and respectfully requests passing of this case in due course of patent office business. If the Examiner believes there are other issues that can be resolved by a telephone interview, or there are any informalities remaining in the application which may be corrected by an Examiner's amendment, a telephone call to Hunter Yancey at (404) 885-3696 would be welcomed.

Respectfully submitted,

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